

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

CATHERINE ANN CONRAD,

Plaintiff,

v.

ORDER

09-cv-49-bbc

WESTPORT MARINE, INC.,
JACK VON RUTENBERG,
ROBERT VON RUTENBERG and
WILLIAM VON RUTENBERG,

Defendants.

On August 31, 2009 plaintiff, without counsel, filed a notice withdrawing her request to proceed *pro se* and requesting that the court order her attorney “to cooperate, communicate and continue his commitments to represent her.” *See* Dkt. 51. Plaintiff also filed a *pro se* amended complaint. *See* Dkt. 52.

The court will not intervene in the attorney-client relationship between plaintiff and her lawyer. In civil cases, this relationship is contractual, not constitutional in dimension. As a result, it is none of this court’s business whether plaintiff and her attorney are getting along. Plaintiff may woodshed her own attorney and keep him or fire him and continue *pro se*, but she may not file submissions on her own behalf while her attorney still is of record as her representative in this case. It is up to plaintiff to decide how she wishes to proceed.

At this juncture, the purported amended complaint is a nullity because it was not submitted by plaintiff’s attorney. So long as plaintiff is represented by counsel, she may not

communicate directly with the court, nor may she file documents in the record of this lawsuit. It will be up to plaintiff to decide how she wishes to proceed hereafter. *See, e.g., Bakery Machinery & Fabrication, Inc. v. Traditional Baking, Inc.*, 570 F.3d 845, 849 (7th Cir. 2009) (“petitioner voluntarily chose this attorney as her representative in the action, and she cannot now avoid the consequences of the acts or omissions of this freely-selected agent. Any other notion would be wholly inconsistent with our system of representative litigation”), quoting *Link v. Wabash Railroad Company*, 370 U.S. 626, 633-34 (1962).

Entered this 2nd day of September, 2009.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge